

**Minutes of the City of Frederick  
Mayor and Board of Aldermen Regular Meeting**

April 15, 2021  
7:00 p.m.  
Virtual Meeting

- I. Mayor Michael O'Connor presided. Participating were Aldermen Kelly Russell, Derek Shackelford, Roger Wilson, and Ben MacShane and Alderwoman Donna Kuzemchak. Also participating were City Attorney Sandra Nickols and Legislative Clerk Phyllis Hane.
- II. The Mayor led the Pledge of Allegiance.
- III. There was no invocation.
- IV. There were no presentations.
- V. The minutes of the March 18, 2021 Regular Public Meeting were previously distributed. On a motion made by Alderman Wilson and seconded by Alderman Russell the Board voted 5-0 to approve the minutes.
- VI. The Mayor announced that Closed Sessions had been held on April 1, 2021 and April 7, 2021 and read into the record summaries of those sessions, which are attached hereto and made a part of these minutes as required under Section 3-306(c)(2) of the General Provisions Article of the Annotated Code of Maryland.
- VII. Mayor O'Connor commented on the passing of former Alderman and Planning Commission member Alan Imhoff.
- VIII. During Aldermanic comments, Alderwoman Kuzemchak also commented on Mr. Imhoff's passing and reflected on the support he had provided for various parts of the City.

Alderman Shackelford also noted Mr. Imhoff's passing, offering condolences to his family and noting his life had been dedicated to service.

- IX. Public comments were received.
- X. Consent Agenda

A. Grant

On a motion made by Alderman Russell and seconded by Alderman Wilson, the Board approve 5-0 consent agenda item A.1:

1. Approval of a Federal Aviation Administration Grant in the amount of \$57,162 and authorization for the Mayor to sign the applicable grant documents.

## B. Lease Assignment

On a motion made by Alderman Shackelford and seconded by Alderman Russell the Board approved 5-0 consent agenda item B.1:

1. Lease Assignment for a Lease dated June 18, 2018 with Eddie Mercer Agri-Services, Inc.

## XI. Public Hearing

1. On a motion made by Alderwoman Kuzemchak and seconded by Alderman MacShane the Board approved 5-0 a three-year agreement with Continental Pools, LLC for pool management services at the Edward P. Thomas, Jr. and William R. Diggs Memorial Swimming Pools (RFQ 21-L). There were no public comments.
2. On a motion made by Alderman Russell and seconded by Alderwoman Kuzemchak the Board approved 5-0 an Intergovernmental Agreement with Maryland Environmental Service. There were no public comments.
3. On a motion made by Alderman Russell and seconded by Alderman Wilson the Board approved 5-0 a scope of work for Task 1 under the Intergovernmental Agreement with Maryland Environmental Service for Fishing Creek Dam Improvements and Dredging Phase 1, Alternative Analysis (CIP #360038). There were no public comments.
4. On a motion made by Alderman Wilson and seconded by Alderman Russell the Board approved 5-0 a First Amendment to the Cable Franchise Agreement with Shenandoah Cable Television, LLC (SHENTEL). There were no public comments.
5. On a motion made by Alderwoman Kuzemchak and seconded by Alderman Wilson the Board approved 5-0 Resolution 21-04 to amend the Charter of the City of Frederick, Article V, concerning elections. There were no public comments.
6. On a motion made by Alderman MacShane and seconded by Alderman Shackelford the Board approved 5-0 Ordinance G-21-08 to revise Chapter 7 of the City Code concerning the conduct of elections with the following revision: the effective date is changed to June 4, 2021. There were no public comments.
7. On a motion made by Alderwoman Kuzemchak and seconded by Alderman Russell the Board approved 5-0 Ordinance G-21-09 to amend the Code of the City of Frederick, Appendix A, Land Management Code, by amending the Official Zoning Maps to apply the Historic Preservation Overlay (HPO) zone to approximately 13.27 acres of a property identified as 1730 North Market Street, while maintaining the High Density Residential (R16) base zone, finding that:
  - It is consistent with the comprehensive plan and has no planning related issues
  - The property meets Criterion i, and is associated with events and cultural groups that have made a significant contribution to the broad patterns of history; Criterion iv(a) exhibits significance in design or construction by

embodying the distinctive characteristics of a type, period, or method of construction, including characteristics particularly associated with the City; and Criterion iv(b) exhibits significance in design or construction by representing the work of a master, Joseph Evans Sperry

- Site and structures are at least 50 years old and retain a high level of integrity
- The application of the HPO to the property is compatible with the comprehensive plan
- Application of the HPO does not result in population change, does not impact present or future transportation patterns, and is consistent with existing and proposed development.

Anne-Herbert Rollins and Laura Teate spoke on behalf of the property owner, Odd Fellows. Further input was received from Tim Kamas of Duffy Companies. Public comments were received.

8. On a motion made by Alderman Russell and seconded by Alderwoman Kuzemchak the Board approved 5-0 Resolution 21-05 to adopt the 2020 Comprehensive Plan with the following revisions:

- The paragraph entitled “Tier III: 2040 and beyond” is changed to “Third Tier Growth: The Future”.
- The Roadway Classification Map is revised to include a potential ramp from Bowman Farm Road to I-70.
- The effective date of the Plan will be October 1, 2021.
- Incorporate the changes to the HP Policy 12, Implementations, as follows
  - The first sentence should read “... existing contributing buildings, and the neighborhood.”
  - Section 2. Add “...and setbacks of nearby contributing buildings in the neighborhood”
  - Section 3. Strike “and streetscapes” at the end of the sentence

- XII. On a motion made by Alderman MacShane and seconded by Alderman Shackelford the Board approved 5-0 the appointment of Matt Edens to Neighborhood Advisory Council 11 Coordinator for a two-year term of April 16, 2021 to April 15, 2023.

- XIII. During Aldermanic comments and new business, Alderman Shackelford wished a happy retirement to longtime Frederick News Post sports reporter Bill Cauley.

Alderwoman Kuzemchak stated her love for the City as evidenced by her participation in City meetings from her vacation in Hawaii, where she is celebrating her parents 65th anniversary. She turned her camera to share the view of what she was missing to participate.

Alderman Russell wished her close friend Tina Baker a happy 93<sup>rd</sup> birthday.

- XIV. Mayor O’Connor noted his parents 65<sup>th</sup> anniversary would have been the previous day.

- XV. There were no committee reports.

- XVI. There were no director reports.

XVII. Public comments were received.

There being no further official business, the meeting was adjourned at 10:42 p.m.

Respectfully submitted,

Phyllis Hane  
Legislative Clerk